

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

IN RE:

Scott II, Carl McClaine  
Scott, Carolyn Mae

Debtor(s).

Case No: 08-30001

Chapter 13

**NOTICE OF OBJECTION TO CLAIM**

**Carl McClaine Scott, II (Debtor(s))** has filed an objection to your claim in this bankruptcy case.

**Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.**

If you do not want the court to eliminate or change your claim, then on or before **February 21, 2008** you or your attorney must:

☒ File with the court, at the address below, a written response to the objection and a request for a hearing. **Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the objection to your claim.** If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
1100 E Main Street, Room 310  
Richmond, VA 23219-3515

You must also mail a copy to:

Jason Krumbein  
Krumbein Consumer Legal Services  
1650 Willow Lawn Drive  
Richmond, VA 23230

Attend the hearing on the objection scheduled by the Clerk's Office of the U.S. Bankruptcy Court on the Objection to Claim the date, place and time of which you will receive notice at a later date.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the objection to your claim.

Date: January 22, 2008

/s/Jason Krumbein  
Jason Krumbein, VSB#43538  
Krumbein Consumer Legal Services  
1650 Willow Lawn Drive, Ste 300  
Richmond, VA 23230

*Jason Krumbein, VSB#43538  
Krumbein Consumer Legal Services  
1650 Willow Lawn Drive, Ste 300  
Richmond, VA 23230  
(804) 673-4358*

**Proof of Service**

The undersigned hereby certifies that on this date the foregoing Notice and Objection to Proof of Claim was submitted for electronic transmittal to: the U.S. Trustee; Robert E. Hyman, P.O. Box 1780, Richmond, VA 23219-1780 and was mailed, first class, postage prepaid to: Capital One Serviced by Tsys Total Debt Management, Inc, r/a Corporation Service Company, 11 S. 12th Street, P.O. Box 1463, Richmond, VA 23218 and Carl McClaine Scott, II and Carolyn Mae Scott, 4701 Faraday Drive, Chester, VA 2383.

/s/Jason Krumbein  
Jason Krumbein, VSB#43538

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**OBJECTION TO PROOF OF CLAIM**

THE HONORABLE Chief Judge Douglas O. Tice, Jr., BANKRUPTCY JUDGE:

**Carl McClaine Scott, II** Debtor(s), by counsel, objects to proof of claim filed by Capital 1 Bk , in the amount of \$899.20 and assigns the following reasons for the same:

1. Debtor(s) object to claim number 5 filed by Capital 1 Bk , in the amount of \$899.20.
2. Debtor objects for the following reasons: a) claim has not standing; b) there are no documents attached to proof of claim; and c) debt is not owned by Tsys Debt Management. The claim filed by Capital One should be disallowed.

**WHEREFORE**, debtor(s) respectfully requests that your Honorable Court disallow the claim number 5 filed by Capital 1 Bk and order that the claim in the amount of \$899.20, be disallowed and order such other and further relief as is just and proper.

Dated: January 22, 2008

/s/Jason Krumbein  
Jason Krumbein, VSB#43538  
Krumbein Consumer Legal Services  
1650 Willow Lawn Drive, Suite 300  
Richmond, Virginia 23230  
(804)673-4358

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Dated: January 22, 2008

/s/Jason Krumbein  
Jason Krumbein, VSB#43538